

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

COURT FILE NO: CV-

DAVID LAROCK

Plaintiff

v.

**ROBERT JAMES & ASSOCIATES
ASSET MANAGEMENT, INC.**

and

RJA CAPITAL, INC.

Defendants

COMPLAINT

JURY TRIAL DEMANDED

COMPLAINT

I. JURISDICTION AND VENUE

1. Jurisdiction of this Court arises out of Defendants' repeated violations of the Fair Debt Collection Practices Act, 15 U.S.C. section 1692 *et seq* (hereinafter "FDCPA"), Pennsylvania Fair Credit Extension Uniformity Act, 73 Pa.C.S. 2270.1 *et seq* (hereinafter "FCEUA") and Pennsylvania Unfair Trade Consumer Protection Law, 72 Pa.C.S 201-1, *et seq* (hereinafter "UTCPL"), which prohibit debt collectors from engaging in abusive, false, deceptive, misleading and unfair practices.
2. Venue is proper in this District because Defendants transact business within this District.

PARTIES

3. Plaintiff, David Larock ("Plaintiff"), is a natural person and is a "consumer" as that term is defined by 15 U.S.C. section 1692a(3).
4. Plaintiff allegedly incurred a financial obligation that was primarily for personal, family or household purposes, in this case, a credit card, and is therefore a "debt" as that term is defined by 15 U.S.C. § 1692a(5).

5. Defendants Robert James & Associates Asset Management, Inc (“Robert James”) and RJA Capital, Inc. “(RJA”)), are upon information and belief, corporations located at 461 Ellicott Street, Buffalo, NY 14203, and, at all time relevant herein, operated as collection agencies, and are “debt collectors” as the term is defined by 15 U.S.C. § 1692a(6) and FCEUA, 73 P.S. § 2270.3, and acted by and through their owners, managers, officer, shareholders, authorized representatives, partners, employees, agents and/or workmen and by, through and, on behalf of each other.

6. Defendants, at all times relevant hereto, were persons who used an instrumentality of interstate commerce or the mails in a business the principal purpose of which was the collection of debts, who regularly collected or attempted to collect, directly or indirectly, debts owed or due asserted to be owed or due another, and/or who, in the process of collecting its own debts, used a name other than its own which would indicate that a third person was collecting or attempting to collect such debts.

7. At all times material and relevant hereto, Defendants are individually, jointly and severally liable to Plaintiff.

III. FACTUAL ALLEGATIONS

8. In or about July, 2012, Defendant Robert James began contacting Plaintiff and his relatives via telephone and leaving messages regarding an alleged credit card debt, and stating that a legal matter that had been filed against him.

9. On July 31, 2012, an individual, who identified himself as Eric Kline, left the following message on Plaintiff’s niece’s cell phone:

Hello Samantha, my name is Eric Kline. I’m attempting to contact David Larock. This is a primary contact listed with my firm so we are attempting to notify him of a summons that was released against him under the allegations of fraud with the current residency of 547 James Street, Kerlinsville PA 16833. Please make him aware that I

have been attempting to contact him for well over a week and could not get a hold of himself or a legal representative. Also inform him if he is looking to rectify this matter on a voluntary basis and has not been served in regards to the allegations that were filed, either himself or his attorney may contact, my direct contact is 315-410-2086 and make him aware, unfortunately, if he has been served, all negotiations will cease. The current case file today has A136949. Once again, it's A136949. Please make him aware that this will be his final notification in regards to the legal documents being released against him as well as his final attempt to rectify. Once again, this is the final notification for David Larock and the summons released to the current residency on file of 547 James Street, Curwinsville, PA 16833. David Larock, you've been notified.

10. In the aforeseaid message, Defendants' representative Kline continued to tell Plaintiff's niece details of the "allegations" against Plaintiff, but did not request any contact information for Plaintiff.

11. On or about July 31, 2012, a representative of Defendant Robert James, who also identified himself as Eric Kline, spoke with Plaintiff and informed Plaintiff that the deadline for settling the alleged debt was 10:00 a.m. on August 1, 2012.

12. On August 1, 2012, Defendant's representative Eric Kline left a voicemail message on Plaintiff's telephone as follows:

Hello David Larock, this is Eric Kline. I'm attempting to contact you pertaining to a legal matter that was filed against you. I've left several messages in an attempt to get a hold of you pertaining to this matter. Sir, I informed you yesterday when we spoke and briefly this morning, that as of 10 a.m. this morning, our clients will be pulling this case file to review it. I also informed you that the extension on this case file was not approved. So at this point I do need to make you aware that our clients are going to be reviewing this case and they will be returning to the previous (..unintelligible..) settlement that was given to you in the amount of \$924, I'm sorry, \$926.54. This will be your notification in regards to interest that our clients have pushed forward, and once again sir, I informed you, unfortunately, as of 10 a.m. this morning our clients will be retracting this offer. You have my direct contact at 315-410-2086. David Larock, you have been notified of the summons that was released against you. Thank you.

13. On August 9, 2012, a representative of RJA, who identified himself as Kevin Cook, left the following voicemail message on Plaintiff's niece's cell phone:

Hello. This is Kevin Cook calling from RJA Capital for David LaRock. This is on record and my second attempt to obtain a voluntary statement on your behalf regarding a potential legal matter in Clearfield County. Due to sensitivity and time, you are now jeopardizing these proceedings moving forward without your knowledge or statement. My direct line is 315-410-2067 and again my name is Kevin Cook. When calling back, please refer to case number A, as in apple, 136949. Thank you.

14. Contrary to all messages left by Defendants, there have been no summons or lawsuits filed against Plaintiff.
15. Despite Defendants' telephone call to Plaintiff's niece, Plaintiff never gave Defendants his consent or permission to discuss this matter with his niece.
16. Defendant failed to send Plaintiff the Notice required under 15 U.S.C. Section 1692(g).
17. Using the standard of "the least-sophisticated consumer," Defendants' language in the August 9, 2012 phone call is at the very least confusing and more likely deceptive and misleading.
18. The aforesaid messages are material violations of the FDCPA as below stated:
 - a. a representative from Defendant Robert James had spoken with Plaintiff on July 31, 2012 at his home and, therefore, had no reason to attempt to contact Plaintiff on Plaintiff's niece's cell phone thereafter;
 - b. Defendants discussed the alleged debt with Plaintiff's niece without Plaintiff's consent or permission.
 - c. Defendants threatened to take legal action that was not, or was never intended to be taken;
 - d. Defendants utilized communications which did not contain the mini-Miranda warning;
 - e. Defendants failed to send Plaintiff the required G Notice.

IV. CAUSES OF ACTION

COUNT I

VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT 15 U.S.C. section 1692, et seq.

19. Plaintiff incorporates his allegations of paragraphs 1 through 18 as though set forth at length herein.

20. Defendants' actions as aforesated are materially, false, deceptive and misleading to Plaintiff as follows:

(a) Defendants violated 15 U.S.C. § 1692c (b)(1) by contacting a third party and failing to state that the collector was confirming or correcting location information;

(b) Defendants violated 15 U.S.C. § 1692c (b)(2) by contacting a third party and stating that the consumer owes a debt;

(c) Defendants violated 15 U.S.C. § 1692(b)(3) by contacting a third party more than once;

(d) Defendants violated 15 U.S.C. § 1692d by engaging in conduct the natural consequence of which is to harass, oppress, or abuse any person;

(e) Defendants violated 15 U.S.C. § 1692e by making false, deceptive, or misleading representation or means in connection with the debt collection;

(f) Defendants violated 15 U.S.C. § 1692e(2) by providing false or misleading representations in communications about the character, amount, or legal status of the alleged debt;

(g) Defendants violated 15 U.S.C. § 1692e(5) by threatening to take actions that cannot legally be taken or are intended to be taken, especially, in light of the fact that Plaintiff

is not a law firm and, therefore, its representation that Plaintiff should expect to receive a summons represents a false, deceptive and misleading threat;

(h) Defendants violated 15 U.S.C. § 1692e(10) by using false representations or deceptive means to collect a debt;

(i) Defendants violated 15 U.S.C. § 1692e(11) by making use of communications that do not contain the mini-Miranda warning;

(j) Defendants violated 15 U.S.C. § 1692f by using any unfair or unconscionable means to collect or attempt to collect the alleged debt;

(k) Defendants violated 15 U.S.C. § 1692g by failing to send the consumer a thirty day validation notice within five days of the initial communication;

(l) Defendants violated 15 U.S.C. § 1692g(a)(3) by failing to state the Right to Dispute within 30 Days;

21. As a direct and proximate result of the Defendants' illegal collection efforts, Plaintiff has suffered damages in the form of attorney's fees, costs and expenses.

22. As a direct and proximate result of Defendants' illegal collection efforts and communications, Plaintiff has suffered mental anguish, emotional distress, anger, anxiety, and frustration, fear, embarrassment and humiliation.

23. Plaintiff has been seriously damaged by Defendants' violations of the FDCPA and is entitled to actual damages, compensatory damages, costs and attorneys fees.

24. As a result of the foregoing violations of the FDCPA, Defendants are liable to Plaintiff for actual damages, statutory damages, attorney's fees and costs in accordance with 15 U.S.C. § 1692k.

CLAIMS FOR RELIEF

25. Plaintiff incorporates his allegations of paragraphs 1 through 24 though set forth at length herein.

26. The foregoing acts and omissions of Defendants constitute numerous and multiple violations of the FDCPA including but not limited to each and every one of the above-cited provisions of the FDCPA, 15 U.S.C. § 1692, et seq.

27. As a result of each of Defendants' violations of the FDCPA, Plaintiff is entitled to actual damages pursuant to 15 U.S.C. §1692k(a)(1); statutory damages in amount up to \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A); and, reasonable attorney's fees and costs pursuant to 15 U.S.C. § 1692k(a)(3) from Defendants.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, David Larock, prays that judgment be entered against Defendants, individually, jointly and severally, for the following:

- (1) Actual damages;
- (2) Statutory damages in the amount of \$1,000.00;
- (3) Reasonable attorney's fees and costs;
- (4) Declaratory judgment that the Defendant's conduct violated the FDCPA;
- (5) Such other and further relief that the Court deems just and proper.

COUNT II VIOLATIONS OF PENNSYLVANIA FAIR CREDIT EXTENSION UNIFORMITY ACT (FCEUA, 73 Pa. C.S § 2270.1, et. seq.

28. Plaintiff incorporates his allegations of paragraphs 1 through 27 as though set forth at length herein.

29. Defendants violated FCEUA, 73 P.S. § 2270.4(a), because any violation of FDCPA by a debt collector, as set forth above, constitutes an unfair or deceptive debt collection act or practice under FCEUA.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, David Larock, prays that judgment be entered against Defendants, individually, jointly and severally, for the following:

- (1) An Order declaring that Defendants violated the FCEU;
- (2) Actual damages;
- (3) Treble damages;
- (4) Reasonable attorney's fees and costs;
- (5) Such other and further relief that the Court deems just and proper.

COUNT III
VIOLATIONS OF PENNSYLVANIA UNFAIR TRADE CONSUMER PROTECTION
LAW
("UTCPL"), 73 Pa. C.S § 201-1, et. seq.

30. Plaintiff incorporates his allegations of paragraphs 1 through 29 as though set forth at length herein.

31. Defendants violated UTCPL, because, pursuant to FCEUA, 73 P.S. § 2270.5(a), any unfair or deceptive debt collection act or practice under FCEUA by a debt collector or credit, as set forth above, constitutes a violation of UTCPL.

32. Other unfair or deceptive acts or practices defined as such in 73 P.S. §201-2(4) committed by Defendants include, but are not limited to, the following:

Defendants engaged in fraudulent or deceptive conduct which would create the likelihood of confusion or of misunderstanding.

33. Pursuant to UTPCPL, 73 P.S. § 201-3, such acts and practices are unlawful.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, David Larock, prays that judgment be entered against Defendants, individually, jointly and severally, for the following:

- (1) An Order declaring that Defendants violated the UTCPL
- (2) Actual damages;
- (3) Treble damages;
- (4) Reasonable attorney's fees and costs;
- (5) Such other and further relief that the Court deems just and proper.

V. DEMAND FOR JURY TRIAL

Plaintiff is entitled to and hereby respectfully demands a trial by jury.

Respectfully submitted,

Mpf8441/s/  Michael P. Forbes

Law Office of Michael P. Forbes, P.C.

By: Michael P. Forbes, Esquire

Attorney for Plaintiff

Attorney I.D.#55767

200 Eagle Road

Suite 220

Wayne, PA 19087

(610) 293-9399

(610)293-9388 (Fax)

michael@mforbeslaw.com

Attorney for Plaintiff, David Larock

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 356 Main Street, Woodland, PA 11681

Address of Defendant: 266 Elmwood Ave, Suite 369, Buffalo, NY 14222

Place of Accident, Incident or Transaction: Clearfield County, Pennsylvania
(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes ☐ No ☒

Does this case involve multidistrict litigation possibilities?

Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: _____ Judge _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
Yes ☐ No ☒
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?
Yes ☐ No ☒

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☒ All other Federal Question Cases
(Please specify) Fair Debt Collection Practices Act

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases
(Please specify)

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, Michael P. Forbes, Esq., counsel of record do hereby certify:

☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;

☒ Relief other than monetary damages is sought.

DATE: 5/14/13

Attorney-at-Law

55767
Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 5/14/13

Attorney-at-Law

55767
Attorney I.D.#

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

David Larock

CIVIL ACTION

v.
Robert James & Associates Asset
Management, Inc. and RJA Capital, Inc.

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ☒

<u>5/14/13</u>	<u>Michael P. Forbes</u>	<u>Plaintiff</u>
Date	Attorney-at-law	Attorney for
<u>610-293-9399</u>	<u>610-293-9388</u>	<u>Michael@MForbesLaw.com</u>
Telephone	FAX Number	E-Mail Address

JS 44 (Rev. 12/07)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

DAVID LAROCK

(b) County of Residence of First Listed Plaintiff CLEARFIELD
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

LAW OFFICE OF MICHAEL FORBES, P.C., 200 EAGLE RD,
SUITE 220, WAYNE, PA 19087; 610-293-9399

DEFENDANTS

ROBERT JAMES & ASSOCIATES ASSET MANAGEMENT,
INC. and RJA CAPITAL, INC.

County of Residence of First Listed Defendant ERIE COUNTY, NY
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 2 U.S. Government Defendant
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
			SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSDI Title XVI <input type="checkbox"/> 865 RSI (405(g))	
			FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify)
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
15 U.S.C. SECTIONS 1692 - 1692P

Brief description of cause:

VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

05/14/2013

SIGNATURE OF ATTORNEY OF RECORD

MPF8441/S/MICHAEL P FORBES

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____